submission fee of $180 for submission and consideration of an information disclosure statement subsequent to a first action but prior to a final action or notice of allowance. JP 06-135604 was cited in a Japanese patent application corresponding to the captioned application.

Applicant thanks the Examiner for the indication that claims 63, 67, 68, 70-72, 74, 77-79, 82-87 and 90-106 are allowed.

Claims 69, 76, 81 and 88 are objected to as being dependent upon a rejected base claim, but are stated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has not amended these claims at this time to place them in independent form or to depend from an allowable rewritten independent claim since applicant submits that the base claim, and thus any intervening claim, is also in condition for allowance as set forth below.

Claims 59-62, 65, 66, 73 and 89 are also stated on page 1 of the official action as being objected to, but are not further discussed in the official action. The undersigned inquired as to the basis for objection and determined that such are also objected to as being dependent upon a rejected base claim, but would be allowable if

rewritten in independent form including the limitations of any intervening claims. The cited reference U.S. Patent Application Publication No. 2002/0017587 A1 (McNeil) does not include a winding core feeder constructed and arranged to feed winding cores into an insertion path towards a winding cradle as claimed. Rather, McNeil teaches a single apparatus, i.e., rotating turret winding assembly 100 (see Figure 2), which provides one path which both feeds empty cores and inserts such cores into a winding cradle. Since the base claim is also considered in condition for allowance, as set forth below, claims 59-62, 65-66, 73 and 89 have not been amended at this time. Formal allowance is requested based on the allowability of base claim 55.

The only outstanding rejection is of claims 55-58, 64, 75 and 80 under 35 U.S.C. §102(b) over U.S. Patent Application Publication No. 2002/0017587 A1 (McNeil). Claim 55 is the only rejected independent claim. Applicant submits that these rejected claims are patentable over McNeil as set forth below.

Claim 55 is directed to a rewinding machine and provides that the at least one suction member and the counter surface are constructed and arranged "such that said suction member attracts said web material onto said counter

surface to generate a friction between the web material and said counter surface which causes breakage of said web material by tearing" (emphasis added). The Examiner in referring to Figure 7 of McNeil states that element 538 teaches the claimed counter surface and element 536 teaches the claimed suction member. Element 538 is the periphery of vacuum roll 534 and element 536 is the chamber in vacuum roll 534 through which the vacuum is provided. The periphery and vacuum chamber of vacuum roll 534 do not provide for friction between the web material and counter surface which causes breakage of the web material.

More particularly, McNeil teaches at page 4, paragraphs 0053-0054, that vacuum roll 534 rotates providing a surface speed that exceeds the web speed, and that transfer pad 514 presses web 50 against empty core 302 for one revolution of the core. As a result, McNeil teaches that the combination of the pressure by transfer pad 514 on web 50 and the over-speed of vacuum roll 534 creates sufficient tension in the web between the core and the vacuum roll to separate web 50 at a perforation therein. Accordingly, McNeil teaches the need for both a transfer pad and vacuum roll to provide tension of the web sufficient to tear the web. Applicant's apparatus as claimed in claim 55

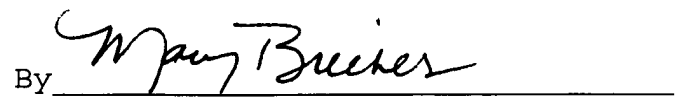
provides for a suction member to attract the web material to the counter surface to generate friction to break the web material. This is not taught in McNeil. Both embodiments in McNeil which use a vacuum, as shown in Figures 7 and 8 of McNeil, require a transfer pad to press the web on a core and over-speed of a vacuum roll to create tension in the web between the transfer pad and the vacuum roll to separate the web at perforations in the web.

Accordingly, applicant submits that McNeil does not teach each and every element of the claimed invention and, thus, does not anticipate the claims within the meaning of 35 U.S.C. §102(b). Withdrawal of the §102 rejection based on McNeil is respectfully requested.

Reconsideration and allowance of all of the claims are respectfully urged.

Respectfully submitted,

MAURO GELLI

By 

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